

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Tuesday, October 22, 2024

Hearing Room 5B

10:30 AM
8:00-00000

Chapter

#0.00 Hearings on this calendar will be conducted using ZoomGov video and audio.

For information about appearing in person (or a hybrid hearing) please visit <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert>.

Case participants may connect to the video and audio feeds, free of charge, using the connection information provided below.

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Video/audio web address: <https://cacb.zoomgov.com/j/1618806095>

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Chapter

ZoomGov meeting number: 161 880 6095

Password: 744676

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

For more information on appearing before Judge Albert by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Theodor C. Albert's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have

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completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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10:30 AM

8:24-11723 Cristelle Steenson Arenal

Chapter 11

#1.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**TD BANK, N.A.
Vs.
DEBTOR**

Docket 65

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION - ORDER GRANTING MOTION FOR RELIEF FROM
THE AUTOMATIC STAY ENTERED 10-21-24 - SEE # 84**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cristelle Steenson Arenal

Represented By
Michael G Spector
Vicki L Schenum

Movant(s):

TD Bank, N.A., successor in interest

Represented By
Randall P Mroczynski

**United States Bankruptcy Court
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10:30 AM

8:24-12086 Natalie Scianni Galvan

Chapter 7

#2.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**ACAR LEASING LTD dba GM FINANCIAL LEASING
Vs.
DEBTOR**

Docket 10

Tentative Ruling:

Tentative for October 22, 2024

Grant. *Appearance is waived.*

Party Information

Debtor(s):

Natalie Scianni Galvan

Represented By
Gary Polston

Movant(s):

ACAR Leasing LTD d/b/a GM

Represented By
Merdaud Jafarnia

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

8:24-12323 Jeffery R. Hobbs and Lori L. Hobbs

Chapter 7

#3.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**WESCOM CREDIT UNION
Vs.
DEBTOR**

Docket 12

Tentative Ruling:

Tentative for October 22, 2024

Grant. *Appearance is waived.*

Party Information

Debtor(s):

Jeffery R. Hobbs

Represented By
Joseph M Tosti

Joint Debtor(s):

Lori L. Hobbs

Represented By
Joseph M Tosti

Movant(s):

WESCOM CREDIT UNION

Represented By
Karel Rocha

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

10:30 AM

8:24-10669 Kamil Finan and Mary Finan

Chapter 7

#4.00 Motion for relief from the automatic stay REAL PROPERTY
(con'td from 7-23-24 per order granting ch 7 tr's mtn to cont. hrg entered
7-12-24)

**GHATTAS ANTON HINNAWI
Vs.
DEBTORS**

Docket 39

***** VACATED *** REASON: CONTINUED TO 12-17-24 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE HEARING
ENTERED 10-18-24 - SEE DOC #64**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kamil Finan

Represented By
Quintin G Shamman

Joint Debtor(s):

Mary Finan

Represented By
Quintin G Shamman

Movant(s):

GHATTAS ANTON HINNAWI

Represented By
Yoon O Ham

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

10:30 AM

8:24-12371 Alan Jay Platte

Chapter 7

#4.10 Motion for relief from automatic stay ACTION IN NON-BANKRUPTCY FORUM
(OST Signed 10-16-24)

**CHERRY PIE PLATTE
Vs.
DEBTOR**

Docket 14

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

Alan Jay Platte

Represented By
Bert Briones

Movant(s):

Cherry Pie Platte

Represented By
James Denison

Trustee(s):

Richard A Marshack (TR)

Represented By
Leonard M Shulman

**United States Bankruptcy Court
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11:00 AM

8:24-12225 Alex Martinez

Chapter 7

#5.00 STATUS CONFERENCE RE: Chapter 7 Involuntary Petition Against an Individual.

Docket 1

Tentative Ruling:

Tentative for October 22, 2024

Status Report? *Appearance required.*

Party Information

Debtor(s):

Alex Martinez

Pro Se

**United States Bankruptcy Court
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11:00 AM

8:10-10310 Robert A. Ferrante

Chapter 7

#6.00 Trustee's Final Report And Application For Compensation:

THOMAS H. CASEY, TRUSTEE

THE LAW OFFICE OF THOMAS H. CASEY, INC. ATTORNEY FOR THE TRUSTEE

HAHN FIFE & COMPANY, ACCOUNTANT FOR TRUSTEE

WORLD PLUS CONSIGNMENT, AUCTIONEER FOR TRUSTEE

UNITED STATES BANKRUPTCY COURT, CLERK OF THE COURT COSTS

BROWN RUDNICK LLP, ATTORNEY FOR TRUSTEE, OTHER

THOMAS VOGELE & ASSOCIATES, APC, SPECIAL COUNSEL FOR TRUSTEE

COLDWELL BANKER PREVIEW INTERNATIONAL, REALTOR FOR TRUSTEE

Docket 0

Tentative Ruling:

Tentative for October 22, 2024

Approved and subordination/waiver of fees is also noted. *Appearance is waived.*

Party Information

Debtor(s):

Robert A. Ferrante

Represented By

Richard M Moneymaker - SUSPENDED -

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11:00 AM

CONT... Robert A. Ferrante

Chapter 7

Arash Shirdel
Ryan D O'Dea

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Thomas A Vogeles
Brendan Martin Loper
Cathrine M Castaldi
Honieh H Udenka

**United States Bankruptcy Court
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5B

11:00 AM

8:21-11352 Don Teruo Kojima and Susan Lorraine Kojima

Chapter 7

#7.00 Third Interim Application For Allowance Of Fees And Costs For Period
September 1, 2023 through and including August 30, 2024:

MARSHACK HAYS WOOD LLP, AS GENERAL COUNSEL FOR TRUSTEE:

FEES: \$63,096.00

EXPENSES: \$543.72

Docket 486

Tentative Ruling:

Tentative for October 22, 2024

Allow as prayed. *Appearance is waived.*

Party Information

Debtor(s):

Don Teruo Kojima

Represented By
Richard H Golubow
Ryan A Baggs
Ross L Hollenkamp
Peter W Lianides

Joint Debtor(s):

Susan Lorraine Kojima

Represented By
Richard H Golubow
Ryan A Baggs
Ross L Hollenkamp

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CONT... Don Teruo Kojima and Susan Lorraine Kojima
Peter W Lianides

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Laila Masud
Bradford Barnhardt

**United States Bankruptcy Court
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11:00 AM

8:23-12597 Tuanh Cao Vu

Chapter 7

#8.00 Trustee's Final Report And Applications For Compensation:

KAREN SUE NAYLOR, CHAPTER 7 TRUSTEE

Docket 22

Tentative Ruling:

Tentative for October 22, 2024

Allow as prayed. *Appearance is waived.*

Party Information

Debtor(s):

Tuanh Cao Vu

Represented By
Rex Tran

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
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11:00 AM

8:24-10235 **Matias Franco and Maria Fernanda Rocca**

Chapter 7

#9.00 Debtors' Motion To Compel The Trustee To Abandon Real Property Located at 31871 Via Pavo Real, Trabuco, Canyon, CA 92679
(cont'd from 6-25-24)
(cont'd from 10-01-24 per court's own mtn)

Docket 33

Tentative Ruling:

Tentative for October 22, 2024

In light of Trustee's motion to withdraw the opposition and Trustee's Report of No Distribution, the motion to compel is granted. *Appearance is waived.*

Tentative for June 25, 2024

This dispute boils down to a reasonable difference of opinion as to the value of the Trabuco Canyon property. Both sides have advanced plausible opinions as to value. If the Trustee is correct then there will likely be a dividend which is, of course, central to her duties. We can soon know whether the property generates enough interest so as to make the inquiry worthwhile. The court suggests the summertime be given as a reasonable period for the inquiry. Absent something worth proceeding upon debtors may renew their motion. See #3.

Deny without prejudice to renewal at end of summer. Appearance required.

Party Information

Debtor(s):

Matias Franco

Represented By
Anthony B Vigil

Joint Debtor(s):

Maria Fernanda Rocca

Represented By
Anthony B Vigil

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CONT... Matias Franco and Maria Fernanda Rocca

Chapter 7

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Ryan W Beall
Jeffrey I Golden

**United States Bankruptcy Court
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5B

11:00 AM

8:22-11585 AB Capital, LLC, a California limited liability co

Chapter 7

#10.00 Chapter 7 Trustee's Motion For Order: 1) Confirming the Sale of Real Property Owned by Debtor's Affiliate, Subject to Overbid, Comports With the Second Amended Preliminary Injunction Entered in the Adversary Proceeding; 2) Authorizing Trustee to Executed Any and All Documents Convenient and Necessary to the Sale; and 3) Granting Related Relief
[Real Property Located at 1312 Beverly Grove Place, Beverly Hills, California 90210]

Docket 897

Tentative Ruling:

Tentative for October 22, 2024

Grant as unopposed. *Appearance is waived.*

Party Information

Debtor(s):

AB Capital, LLC, a California

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

Alan W Forsley

Ryan D O'Dea

Kristine A Thagard

James C Bastian Jr

Marc A Lieberman

Rika Kido

Brooke S Thompson

**United States Bankruptcy Court
Central District of California
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11:00 AM

8:24-11738 Catherine Leona Wilson

Chapter 7

#11.00 Trustee's Motion For: (1) Order Authorizing Sale Of Real Property Located at 3410 Egerer Place, Fullerton, CA 92835: (A) Outside the Ordinary Course of Business; (B) Free and Clear of Liens; (C) Subject to Overbids; and (D) for Determination of Good Faith Purchaser Under § 363(m) and (2) Order Authorizing Abandonment of Personal Property and Turnover Pursuant to Stipulation

Docket 35

Tentative Ruling:

Tentative for October 22, 2024

Grant as unopposed. Will the trustee hold proceeds pending resolution of co-owner disputes? How is it proposed that such issues be resolved?

Appearance required.

Party Information

Debtor(s):

Catherine Leona Wilson

Represented By
Suzette Douglas

Trustee(s):

Richard A Marshack (TR)

Represented By
Tinho Mang

**United States Bankruptcy Court
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8:24-12328 Vanessa Sanchez

Chapter 7

#12.00 Motion To Vacate Order Of Dismissal

Docket 19

Tentative Ruling:

Tentative for October 22, 2024

As the motion is unopposed, the court does not take issue with giving Debtor and Counsel another chance. However, there is still a procedural issue that may prevent granting of the motion. Under LBR 1017-2(c)(1), "a motion requesting that the dismissal of a case for failure to timely file a required document or for failure to appear at the meeting of creditors be vacated must include as exhibits to the motion all of the documents that were not timely filed and must be supported by a declaration under penalty of perjury establishing a sufficient explanation why the documents were not timely filed." While Debtor has provided the declaration of Counsel, there are no exhibits attached providing the documents that were not initially correctly filed i.e. the missing holographic signatures. As the required evidence is lacking here, the court could deny the motion without prejudice to allow for Counsel to refile the motion with the required declaration and attachments. But the court might also consider the matters cured if properly presented as of the hearing.

Appearance required.

Party Information

Debtor(s):

Vanessa Sanchez

Represented By
A Mina Tran

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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11:00 AM

8:24-12674 The Original Mowbray's Tree Service, Inc.

Chapter 11

#13.00 Debtor's Emergency Motion For Order Authorizing Continued Use Of Debtor's Bank Accounts And Cash Management System To The Extent Set Forth Herein (OST Signed 10-21-24)

Docket 6

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

The Original Mowbray's Tree

Represented By
Robert S Marticello

**United States Bankruptcy Court
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11:00 AM

8:24-12674 The Original Mowbray's Tree Service, Inc.

Chapter 11

**#14.00 Debtor's Emergency Motion For Entry Of Interim And Final Orders Authorizing Use Of Cash Collateral
(OST Signed 10-21-24)**

Docket 5

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

The Original Mowbray's Tree

Represented By
Robert S Marticello

**United States Bankruptcy Court
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11:00 AM

8:24-12674 The Original Mowbray's Tree Service, Inc.

Chapter 11

#15.00 Debtor's Emergency Motion For Entry Of Order Authorizing Payment Of Certain Pre-Petition Employee-Related Claims And Granting Related Relief (OST Signed 10-21-24)

Docket 7

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

The Original Mowbray's Tree

Represented By
Robert S Marticello

**United States Bankruptcy Court
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11:00 AM

8:24-12674 The Original Mowbray's Tree Service, Inc.

Chapter 11

#16.00 Debtor's Emergency Motion For Order Authorizing Debtor To Continue Insurance Programs, Honor Terms Of Premium Financing Agreements, Satisfy Related Pre-Petition Obligations And Granting Related Relief

Docket 8

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

The Original Mowbray's Tree

Represented By
Robert S Marticello

**United States Bankruptcy Court
Central District of California
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11:00 AM

8:24-12674 The Original Mowbray's Tree Service, Inc.

Chapter 11

#17.00 Debtor's Emergency Motion For Order: (A) Prohibiting Utility Providers From Altering, Refusing or Discontinuing Service; (B) Deeming Utilities Adequately Assured of Future Performance; and (C) Establishing Procedures for Determining Adequate Assurance of Payment Under 11 U.S.C. § 366 (OST Signed 10-21-24)

Docket 9

Tentative Ruling:

Tentative for October 22, 2024

Opposition due at hearing. *Appearance required.*

Party Information

Debtor(s):

The Original Mowbray's Tree

Represented By
Robert S Marticello